

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

CURTIS FLOURNOY,
Plaintiff,

v.

NATIONAL RECOVERY
SERVICES, LLC,
Defendant.

§
§
§
§
§
§
§

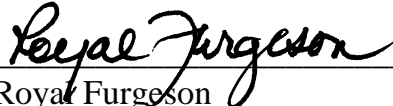
Case No. 10-cv-1690-F

ORDER TO SHOW CAUSE

On September 23, 2010, Plaintiff Curtis Flournoy filed his Amended Complaint in this case. The same day, a summons was issued as to Defendant National Recovery Services, LLC. However, as of the date of signature below, no summons has been returned as executed. Additionally, there is no other evidence in the docket that Defendant National Recovery Services, LLC has been served. The Federal Rules of Civil Procedure require a defendant to be served within 120 days after the complaint is filed. Fed. R. Civ. P. 4(m). If a defendant is not timely served, the Court “must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” *Id.* Over 120 days have passed since Plaintiff filed his Amended Complaint.

Accordingly, the Court enters this Order to Show Cause why this action against Defendant National Recovery Services, LLC should not be dismissed without prejudice. It is ORDERED that Plaintiff RESPOND to this Order to Show Cause on or before **March 16, 2011**. In the event that there is no response to this Order the Court will dismiss this action against Defendant National Recovery Services, LLC without prejudice.

Signed this 16th day of February, 2011.



Royal Furgeson
Senior United States District Judge